

Entered - 01/13/03 - sb
CL03L0080 - DIANNE C. MITCHELL

03- *R*-0745

CLAIM OF: **HELEN MATHIS,**
through her insurance carrier,
State Farm Insurance Companies
11350 Johns Creek Parkway
Duluth, Georgia 30098-0001

For damages alleged to have been sustained as a result of an
undisclosed event on August 2, 2002 at an undisclosed location.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Adversed By
Council 5-19-03

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

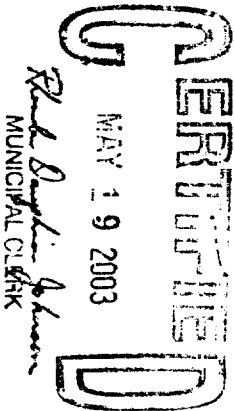
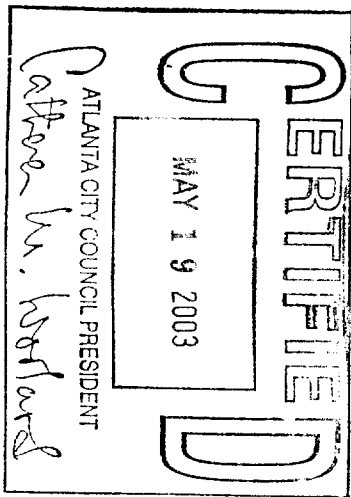
DATE: *5/13/03*

CHAIR: 

C. T. Martin

H. R. Smith

Clay Smith





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

May 27, 2003

State Farm Insurance Companies
Insurance carrier
Attn: Colette Tinkham
11350 Johns Creek Parkway
Duluth, GA 30098-0001

03-R-0745

RE: Helen Mathis

Dear Ms. Tinkham:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on May 19, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0080

Date: April 29, 2003

Claimant /Victim HELEN MATHIS
BY: (Ins. Co.) State Farm Insurance Companies
Address: 11350 Johns Creek Parkway, Duluth, Georgia 30098-0001
Subrogation: X Claim for Property damage \$ 1,556.787 Bodily Injury \$ _____
Date of Notice: 01/31/03 Method: Written, proper _____ Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ Ante Litem (6 Mo.) _____
Date of Occurrence 08/02/02 Place: Not Stated
Department Unknown Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant, through her insurance carrier, is alleging that she incurred damages due to an undisclosed event at an undisclosed location. The claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice X More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager Dianne Mitchell Concur/date 04-30-03
Committee Action: _____ Council Action _____

RCS# 4717
5/19/03
2:39 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14 Except:03-O-0456; 03-R-0598
03-R-0703; 03-R-0773; 03-R-0788
Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

5/19/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda

- | | |
|---------------|---------------|
| 1. 03-O-0601 | 36. 03-R-0726 |
| 2. 03-O-0551 | 37. 03-R-0727 |
| 3. 03-O-0552 | 38. 03-R-0728 |
| 4. 03-O-0600 | 39. 03-R-0729 |
| 5. 03-O-0554 | 40. 03-R-0730 |
| 6. 03-O-0617 | 41. 03-R-0731 |
| 7. 03-O-0632 | |
| 8. 03-O-0633 | |
| 9. 03-O-0660 | |
| 10. 03-O-0772 | |
| 11. 03-O-0628 | |
| 12. 03-O-0759 | |
| 13. 03-R-0655 | |
| 14. 03-R-0700 | |
| 15. 03-R-0701 | |
| 16. 03-R-0704 | |
| 17. 03-R-0784 | |
| 18. 03-R-0785 | |
| 19. 03-R-0707 | |
| 20. 03-R-0708 | |
| 21. 03-R-0709 | |
| 22. 03-R-0718 | |
| 23. 03-R-0782 | |
| 24. 03-R-0713 | |
| 25. 03-R-0714 | |
| 26. 03-R-0716 | |
| 27. 03-R-0760 | |
| 28. 03-R-0768 | |
| 29. 03-R-0774 | |
| 30. 03-R-0776 | |
| 31. 03-R-0779 | |
| 32. 03-R-0722 | |
| 33. 03-R-0723 | |
| 34. 03-R-0724 | |
| 35. 03-R-0725 | |

**Items Adversed on the
Consent Agenda**

42. 03-R-0732
43. 03-R-0733
44. 03-R-0734
45. 03-R-0735
46. 03-R-0736
47. 03-R-0737
48. 03-R-0738
49. 03-R-0739
50. 03-R-0740
51. 03-R-0741
52. 03-R-0742
53. 03-R-0743
54. 03-R-0744
55. 03-R-0745
56. 03-R-0746
57. 03-R-0747
58. 03-R-0748
59. 03-R-0749
60. 03-R-0750
61. 03-R-0783

Consent I Vote: 13 Yeas; 0 Nays: (See RCS #4717)

Items Removed from the Consent Agenda: 03-O-0456; 03-R-0598; 03-R-0703; 03-R-0773; 03-R-0788